

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

v.

GORDON D. MCDONALD,
Defendant.

Criminal No. 09-656-01 (SDW)

ORDER

ORDER FOR MEDICAL DESIGNATION

This matter, having come before the Court on the United States of America's ("Government") Motion to Remand Defendant Gordon McDonald ("Defendant") to the Federal Bureau of Prisons ("BOP") for an evaluation of his mental competency pursuant to 18 U.S.C. §§ 4241 and 4247, and this Court, having carefully reviewed and considered the submissions and arguments of the parties, for the reasons stated in this Court's Opinion dated October 1, 2012,

IT IS ORDERED THAT:

1. The Defendant is to voluntarily surrender to Federal Medical Center ("FMC") Devens on November 21, 2012, or as otherwise directed by the BOP, to evaluate the Defendant's competency pursuant to 18 U.S.C. § 4241(b).
2. The Defendant, through his lawyer, Justin T. Loughry, Esq., shall forward copies of any and all available hospital, medical, psychological and psychiatric reports to the Chief Psychologist at the facility where the examination is to be conducted.
3. The BOP's competency evaluation should begin as soon as practicable upon the Defendant's admission.

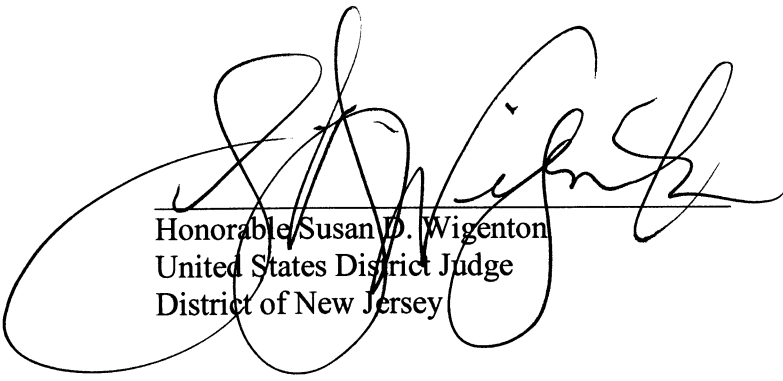
4. A report of the BOP's evaluation shall, pursuant to 18 U.S.C. § 4247, be completed within thirty (30) days of the date of this Order. In addition, the BOP shall report its evaluative findings and conclusions to the Court and provide copies of that evaluation to counsel for the Defendant and the Government.

5. Upon the completion of the defendant's examination at the designated suitable facility, the director of the facility shall notify the Court, in writing, of the completion of the examination and release the defendant subject to the outstanding Order Setting Conditions of Defendant's Release.

6. The period of commitment necessary to transport the Defendant to a suitable facility and evaluate the Defendant shall be excluded in computing the time within which the trial of any such offense must commence, pursuant to 18 U.S.C. § 3161(h)(1)(A).

7. A copy of this Order shall be given to the United States Marshal and the Marshal shall make arrangements as are necessary for the examination of the Defendant.

WHEREFORE, IT IS, on this 18th day of October 2012, so **ORDERED**.



Honorable Susan D. Wigenton
United States District Judge
District of New Jersey